CARNEGIE FORUM 305 WEST PINE STREET LODI, CALIFORNIA

AGENDA LODI PLANNING COMMISSION

REGULAR SESSION WEDNESDAY, MAY 8, 2019 @ 7:00 PM

For information regarding this agenda please contact:

Kari Chadwick @ (209) 333-6711

Community Development Secretary

NOTE: All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the Community Development Department, located at 221 W. Pine Street, Lodi, and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the Community Development Department as soon as possible and at least 24 hours prior to the meeting date.

- 1. ROLL CALL
- 2. MINUTES "January 9, 2019", "February 13, 2019", "March 13,2019" & "April 10, 2019"
- 3. PUBLIC HEARINGS
 - a. Request for Planning Commission approval of:
 - i. Growth Management Allocation for 25 Low Density Lots; and
 - ii. A Subdivision Map for the Bennett Interlaken Subdivision, a 8.47 acre, 25 unit subdivision at 1164 Lower Sacramento Road.

(Applicant: Bennett Land Investments, INC - Dennis Bennett; File: 2019-4 S; CEQA Status: Section 15332 – In-fill development consistent with the General Plan and Zoning Code)

b. Request for Planning Commission approval of a Tentative Parcel Map to divide one parcel into four lots and a remainder at 380 South Sunset. (Applicant: Virginia Irene Wagers and Susan Maureen Halverson; File 2019-09 P; CEQA Determination: Categorical Exemption Pursuant to CEQA Guidelines Section 15332)

NOTE: The above item is a quasi-judicial hearing and requires disclosure of ex parte communications as set forth in Resolution No. 2006-31

- 4. PLANNING MATTERS/FOLLOW-UP ITEMS
- 5. ANNOUNCEMENTS AND CORRESPONDENCE
- 6. ACTIONS OF THE CITY COUNCIL
- 7. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE
- 8. ACTIONS OF THE LODI ARTS COMMISSION
- 9. COMMENTS BY THE PUBLIC (NON-AGENDA ITEMS)
- 10. COMMENTS BY THE PLANNING COMMISSIONERS & STAFF (NON-AGENDA ITEMS)
- 11. ADJOURNMENT

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

**NOTICE: Pursuant to Government Code §54954.3(a), public comments may be directed to the legislative body concerning any item contained on the agenda for this meeting <u>before</u> (in the case of a Closed Session item) or <u>during</u> consideration of the item.

Right to Appeal:

If you disagree with the decision of the commission, you have a right of appeal. Only persons who participated in the review process by submitting written or oral testimony, or by attending the public hearing, may appeal.

Pursuant to Lodi Municipal Code Section 17.72.110, actions of the Planning Commission may be appealed to the City Council by filing, within ten (10) business days, a written appeal with the City Clerk and payment of \$300.00 appeal fee. The appeal shall be processed in accordance with Chapter 17.88, Appeals, of the Lodi Municipal Code. Contact: City Clerk, City Hall 2nd Floor, 221 West Pine Street, Lodi, California 95240 – Phone: (209) 333-6702.

January 9, 2019, February 13, 2019, March 13, 2019 & April 10, 2019

The above Planning Commission minutes were not available at the time of packet preparation.

They will be made available prior to the start of the May 8, 2019 meeting if they have been completed.

Item 3a



MEETING DATE: May 8, 2019

APPLICATION NO: Subdivision Application: 2019-4 S

Growth Management Allocation: 2019-4 GM

REQUEST: Request for Planning Commission approval of:

a) Growth Management Allocation for 25 Low Density Lots; and

b) A Subdivision Map for the Bennett - Interlaken Subdivision, a 8.47

acre, 25 unit subdivision at 1164 Lower Sacramento Road.

(Applicant: Bennett Land Investments, INC - Dennis Bennett; File: 2019-4 S; CEQA Status: Section 15332 - In-fill development consistent with the

General Plan and Zoning Code)

LOCATION: 1164 Lower Sacramento Road

Lodi, CA 95240 APN: 027-410-01

APPLICANT: Bennett Land Investments, INC.

Mr. Dennis Bennett PO Box 1597 Lodi, CA 95241

Baumbach and Piazza, INC.

Mr. Steve Pechin 323 West Elm Street Lodi, CA 95240

PROPERTY

OWNER: 1164 Lower Sac, LLC

Mr. Dennis Bennett PO Box 1597 Lodi, CA 95241

RECOMMENDATION

Staff recommends that the Planning Commission approve the proposed 25 lot Tentative Subdivision Map for the Bennett – Interlaken Subdivision and recommend approval of the 25 low density residential growth allocations to the City Council subject to conditions in the attached draft resolution.

PROJECT/AREA DESCRIPTION

General Plan Designation: Low Density Residential **Zoning Designation**: Low Density Residential

Property Size: 8.47 acres

The adjacent zoning and land use characteristics:

	ADJACENT Z	ADJACENT ZONING DESIGNATIONS AND LAND USES				
	GENERAL PLAN ZONING CLASSIFICATION EXISTING LAND US					
North	Low Density Residential	PD(25) - Low Density Residential	single family residences			
South	Commercial	Community Commercial	Target / Safeway Center			
East	Mixed Use Corridor	Low Density Residential	Eden Housing – Crane's Landing			
West	Low Density Residential	Low Density Residential	single family residences			

EXISTING CONDITIONS

The applicant is proposing an in-fill development that creates custom home sites for development.

The project proposal is intended to be consistent with the custom home sites and large parcels of the Sun West development.

This property is the final large parcel in the Sun West area and has always been considered part of the overall Sun West development.

The existing parcel is a vacant 8.47 acre site that is located south of the existing Sun West development and north of the Safeway / Target center.

ANALYSIS

<u>General Plan Compliance:</u> The project site carries a General Plan Land Use designation of Low Density Residential. The low density designation allows for residential development with 2 to 8 dwelling units per acre. The proposed project density is 2.95 units per acre. The proposed lotting meets the density requirements for parcel sizes.

The following General Plan Land Use and Community Design and Livability (CDL) goals and policies are applicable to the proposed subdivision:

- Land Use Policy 3: Do not allow development at less than the minimum density prescribed by each residential land use category.
- Land Use Policy 22: promote infill development that maintains the scale and character of established neighbors.
- CDL Policy 2: Ensure that Zoning and Subdivision ordinances include measures that guide infill development to be compatible with the scale, character and identity of adjacent development.

All of the surrounding parcels are currently designated Low Density Residential (2 - 8 units per acre). The average density that will be created as a result of the proposed subdivision is 2.95 units per acre, which is consistent with this Low Density Residential density prescribed by the City's General Plan.

The proposed subdivision would result in new lot sizes that are consistent with the density prescribed by the General Plan. The attached Tentative Map illustrates the final parcel configuration that would result from the proposed project.

<u>Zoning Compliance:</u> The project site is zoned Low Density Residential. This designation requires a minimum lot size of 5,000 sq ft and a maximum density of 8 units per acre.

<u>Subdivision Map:</u> The proposed tentative map includes 25 lots ranging in size from 10,460 sq ft up to 21,477 sq ft. The majority of the lots are 11,249 sq ft and 12,160 sq ft in size. The proposed lots exceed the minimum design standards.

Lot Number	Size – Square Feet	Lot Number	Size – Square Feet
1	12,967	14	11,249
2	12,160	15	11,249
3	12,160	16	11,249
4	12,160	17	11,249
5	12,160	18	11,249
6	12,162	19	11,249
7	13,286	20	10,646
8	12,958	21	10,460
9	13,274	22	13,004
10	13,414	23	12,160
11	11,564	24	13,806
12	11,249	25	21,477
13	11,249		

Lots to the north of the project site range in size from 10,000 sq ft up to 14,000 sq ft. These are large custom home sites. There is not a uniform lot size in the area, but lots are generally larger custom home sites.

The project proposal is consistent with the Sun West neighborhood area.

In accordance with Lodi Municipal Code Section, 17.52.070, the Commission may approve a tentative map only when it first finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan, and any applicable specific plan, and that none of the findings for denial can be made. The findings shall apply to each proposed parcel as well as the entire subdivision, including any parcel identified as a designated remainder in compliance with Map Act Section 66424.6. The findings are included as part of the resolution and staff recommends approval of the subdivision map.

In accordance with Lodi Municipal Code Section, 17.52.130, an approved Tentative Map is valid for 24 months after its effective date (Section 17.66.130). At the end of 24 months, the approval shall expire and become void unless, the applicant petitions the Planning Commission for an extension and the Commission grants an extension in accordance with Lodi Municipal Code Section 17.52.130 (B)(1). Phased Final Maps shall extend the expiration of the tentative map by 36 months or the date of the previously filed Final Map.

<u>Access and Circulation:</u> The main access to the proposed project is off Interlaken Drive. The project includes a public cul-de-sac. The road includes 36 feet of travel lane. This is typical of our roadway development standards.

Each parcel will have public road access.

Growth Management Allocations

The applicant is requesting 25 low density residential growth allocations to develop the project. The applicant has identified that he intends to build the project and provide custom lots for sale and build homes on several lots.

The allocation system gives priority through point assignments to projects that reduce impacts on services, infrastructure, and resources. The ordinance sets an annual growth limit of two percent of the City's population, compounded annually. Once the number of allocable units is figured, the City requires that the allocation units be distributed among housing types as follows; 44 percent low density, 28 percent medium density and 28 percent high density (GM-P4).

The California Department of Finance sets the City population for January 1st of each year. The population has been as follows:

The California Department of Finance (DOF) sets the City population for January 1st of each year. Identified below are original populations estimates received and revised numbers that were provided at later dates. Staff is not entirely clear on the DOF's methodology of calculating population. DOF states that it is based upon constructed dwelling units and adjusted based upon residents per structure type. The population appears to be generated at a rate exceeding our actual construction of residences within the past few years.

Year	Dept. of Finance Revised Population Estimate	Growth Rate Percentage	Dept. of Finance Original Population Estimate
2010	62,134		62,134
2011	63,317	1.9	62,334
2012	63,447	0.2	62,575
2013	63,788	0.5	63,233
2014	63,975	0.3	63,651
2015	64,415	0.7	62,772
2016	64,920	0.7	63,396
2017	65,911	1.5	64,058
2018	67,121	1.8	
2019	68,272	1.8	

Since 2010 the City has had an average growth rate of **0.86**%, slightly less than 1%. The City of Lodi has finaled the following residential units per year.

YEAR	Single Family Residential	Multi-Family Residential	TOTAL
2012	15	0	15
2013	20	0	20
2014	40	0	40
2015	70	0	70
2016	170	0	170
2017	210	80	290
2018	204	156	360
2019		142*	

^{* -} Revel Senior Apartments

The following calculation explains the current City population of **68,272** as of January 1, 2019 and **479** units available for 2019:

- 1. Calculate two percent of the City's current population: **68,272** x 2% = 1,365.44
- 2. Divide 1,365 by the average number of persons per household 1,365 / 2.85 = 479.10
- 3. Divide the 479.10 (479 du) units into the 3 housing types:

44% low density = 211 units

28% medium density = 134 units

28% high density = 134 units.

In August 2018, the City Council expired allocations accumulated since 2013. The Council eliminated 1,273 allocations. This Council action created a new balance of **2,562** as detailed below in **Table A**.

Table A: 2018 Growth Allocation Balance

	201	2018 City Council Reduction			
	Total Available for 2018	Allocation Reduction	Current Balance for 2018		
Low (0.1-7)	2,113	- 871	1,242		
Medium (7.1-20)	770	- 110	660		
High (20.1-30)	952	- 292	660		
TOTAL	3,835	- 1,273	2,562		

Table B identifies Low Density Growth Allocations provided to The Gateway South project for the years 2018, 2019 and 2020. The size of the project and applicant's timing made providing allocations over a 3 year period more realistic and consistent with the Growth Allocation Ordinance.

Table B: Growth Management Allocation for Gateway South

		Available Allocations					
	Gateway South 2018	Current Balance for 2018	Gateway South 2019	Gateway South 2020	Gateway South Total	Total Remaining for 2018	
Low (0.1-7)	187*	1,242	187	186	560	1,242	
Medium (7.1-20)	0	660	0	0	0	660	
High (20.1-30)	0	660	0	0	0	660	
TOTAL		2,562			560	2,562	

^{* 2018} Allocations to Gateway North were provided prior to the Council action to reduce the overall balance of allocations in August 2018.

Table C: Growth Management Allocation for Vineyard Terrace

	Available Allocations					
	Total Available for 2018	Vineyard Terrace 2018	Vineyard Terrace 2019	Vineyard Terrace 2020	Vineyard Terrace Total	Total Remaining for 2018
Low (0.1-7)	1,242	0	0	0	0	1242
Medium (7.1-20)	660	80	80	75	235	580
High (20.1-30)	660	0	0	0	0	660
TOTAL	2,562	2,482			235	2,482

^{* 2018} Allocations to Vineyard Terrace were provided after the Council action to reduce the overall balance of allocations in August 2018.

Table D identifies potential Growth Allocations for 2019 and how they have currently been allocated.

Table D: Potential Growth Management Allocation for 2019

		Available Allocations 2019					
	Total Remaining for 2018	Potential 2019 Yearly Allocation	Available for 2019	Gateway South 2019	Vineyard Terrace 2019	Total Remaining for 2019	
Low (0.1-7)	1,242	211	1453	187	0	1266	
Medium (7.1-20)	580	134	714	0	80	634	
High (20.1-30)	660	134	794	0	0	794	
TOTAL	2,482	479	2,961			2,694	

Table E identifies potential Growth Allocations for 2019 allocated to Bennett - Iris Drive

Table E: Growth Management Allocation for Bennett – Iris Drive

	Ava	Available Allocations 2019				
	Total Remaining for 2019 Bennett – Iris Drive for 2019					
Low (0.1-7)	1266	9	1257			
Medium (7.1-20)	634	0	634			
High (20.1-30)	794	0	794			
TOTAL	2,694	9	2,685			

Table F identifies potential Growth Allocations for 2019 allocated to Bennett - Iris Drive

Table F: Growth Management Allocation for Bennett – Interlaken Drive

	Ava	Available Allocations 2019				
	Total Remaining for 2019	Bennett – Interlaken Drive	Total Remaining for 2019			
Low (0.1-7)	1257	25	1232			
Medium (7.1-20)	634	0	634			
High (20.1-30)	794	0	794			
TOTAL	2,685	25	2,660			

Table F identifies growth allocations provided to projects from 2013 through 2018.

Table F: Current Allocations from 2013 to 2018

	ISSUED ALLOCATIONS						
Project	Low (0.1-7)	Medium (7.1-20)	High (20.1-30)	TOTAL			
Luca Place*	17			17			
Gianoni / Baker		18		18			
Miller Property*		65		65			
Rose Gate	232			232			
Van Ruiten Ranch	145	55	88	288			
Reynolds Ranch		227	330 (298)	557			
Vintner Square	57			57			
Garfield	6			6			
Camper - Sac		28		28			
Harvest Crossing		42		42			
Rose Gate II	250	95	180	525			
Villa Fiore (VRR)	67			67			
Gateway North	107	98	329	534			
Gateway South	560	0	0	560			
Tienda Square		8		8			
Vineyard Terrace		235		235			
TOTAL	1441	871	927	3,239			

^{*} The Luca Place project was allocated 17 growth allocations in 2005. The Miller property was allocated 65 growth allocations in 2005. These allocations have not been used, but remain active allocations.

The Growth Management Ordinance includes a priority location area and a point system to assist the City with prioritizing issuance of growth management allocations. The priority location area designates lands available for development and provides development categories of one, two or three, with Priority Area 1 being the first priority area for development. The priority areas are based on availability of city services (e.g., water, wastewater, storm drains, streets, police, fire and parks). The proposed project site is classified as an in-fill project. For scoring purposes in-fill projects are considered Priority Area 1 projects. The point system was established to rate projects based on various project merits in order to determine if one project should be approved before another, particularly if there are more allocation requests than there are available allocations. However, because the City hasn't had growth management allocation requests since 2006, surplus allocations have been accumulated.

The Bennett – Interlaken Drive project is an in-fill development and the City encourages infill development.

Conclusion

Staff sent a copy of the application to various City departments for review and comment. Their comments and requirements incorporated into the attached resolution. Staff believes that the Commission can make the findings in order to approve the proposed project, subject to conditions outlined in the attached resolution. The proposed tentative map, as described in the code compliance sections above, is consistent with the current General Plan (2010).

The proposed residential development aligns with the residential land use designations and densities assigned to site in the current General Plan. The site for the proposed subdivision is suitable for the density and type of development proposed in that it is a flat piece of land. Also the design of the subdivision and type of improvements would not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision in that there are no existing public access easements on the site. Further, as stated in the code compliance sections above, the applicant has proposed development standards for this subdivision that are consistent with the historical development of the City.

ENVIRONMENTAL ASSESSMENT

The California Environmental Quality Act (CEQA) requires analysis of agency approvals of discretionary "Projects." A "Project," under CEQA, is defined as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." The proposed Tentative Subdivision Map is a project under CEQA.

The City Council, by Resolution No. 2010-41, which became effective on April 7, 2010, certified an Environmental Impact Report (EIR), State Clearinghouse No. 20009022075, for the City of Lodi General Plan. This General Plan designated the project site as Low Density Residential.

No potential new impacts related to the Project have been identified that would necessitate further environmental review beyond the impacts and issues already disclosed and analyzed in the General Plan EIR. No increase in development density beyond what was anticipated in the General Plan for the Project site would occur. No other special circumstances exist that would create a reasonable possibility that the proposed Project will have a significant adverse effect on the environment.

The Class 32 "Infill" Categorical Exemption (CEQA Guideline Section 15332), hereafter referred to as the Class 32 Exemption, exempts infill development within urbanized areas if it meets certain criteria. The class consists of environmentally benign infill projects that are consistent with the General Plan and Zoning requirements. This class is not intended for projects that would result in any significant traffic, noise, air quality, or water quality impacts. This exemption is not limited to any use type and may apply to residential, commercial, industrial, public facility, and/or mixed-use projects.

Therefore, the proposed Project qualifies for the exemption under CEQA Guidelines Section 15332 and no further environmental review is required.

PUBLIC HEARING NOTICE:

Legal Notice for the Use Permit was published in the Lodi News Sentinel on Saturday, April 27, 2019. Sixty-four (64) public hearing notices were sent to all property owners of record within a 300-foot radius of the project site as required by California State Law §65091 (a) 3. Public notice also was mailed to interested parties who had expressed their interest of the project.

RECOMMENDED MOTIONS

Should the Planning Commission agree with staff's recommendation, the following motion is suggested:

"I move that the Planning Commission adopt a Resolution finding that the project has satisfied the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332, the project is consistent with the findings of the previous environmental documents prepared for the 2010 Lodi General Plan and is an infill development in an urban area and approve the 25 lot Tentative Subdivision Map for the Bennett – Interlaken Drive Subdivision and recommend to the City Council approval of the request for Growth Management Allocations for 25 Low-Density Residential lots subject to conditions in the attached resolution.

ALTERNATIVE PLANNING COMMISSION ACTIONS:

- Approve the request with attached or alternate conditions
- Deny the request
- Continue the request.

Respectfully Submitted,

Concur,

Craig Hoffman City Planner Stephen Schwabauer Community Development Director

ATTACHMENTS:

- A. Vicinity / Aerial Map
- B. Subdivision Map
- C. Comment Letter
- D. Draft Resolution

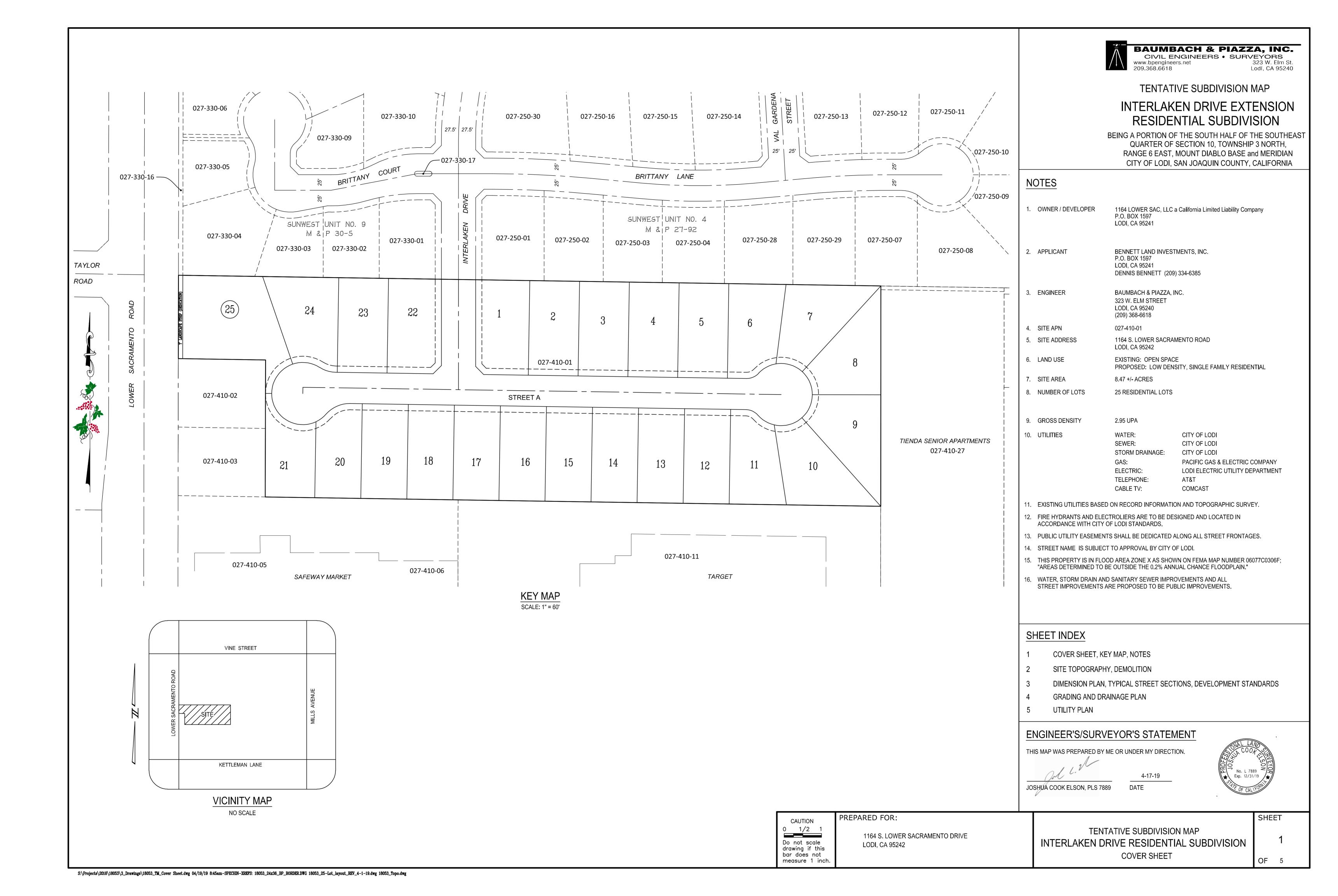
VICINITY MAP

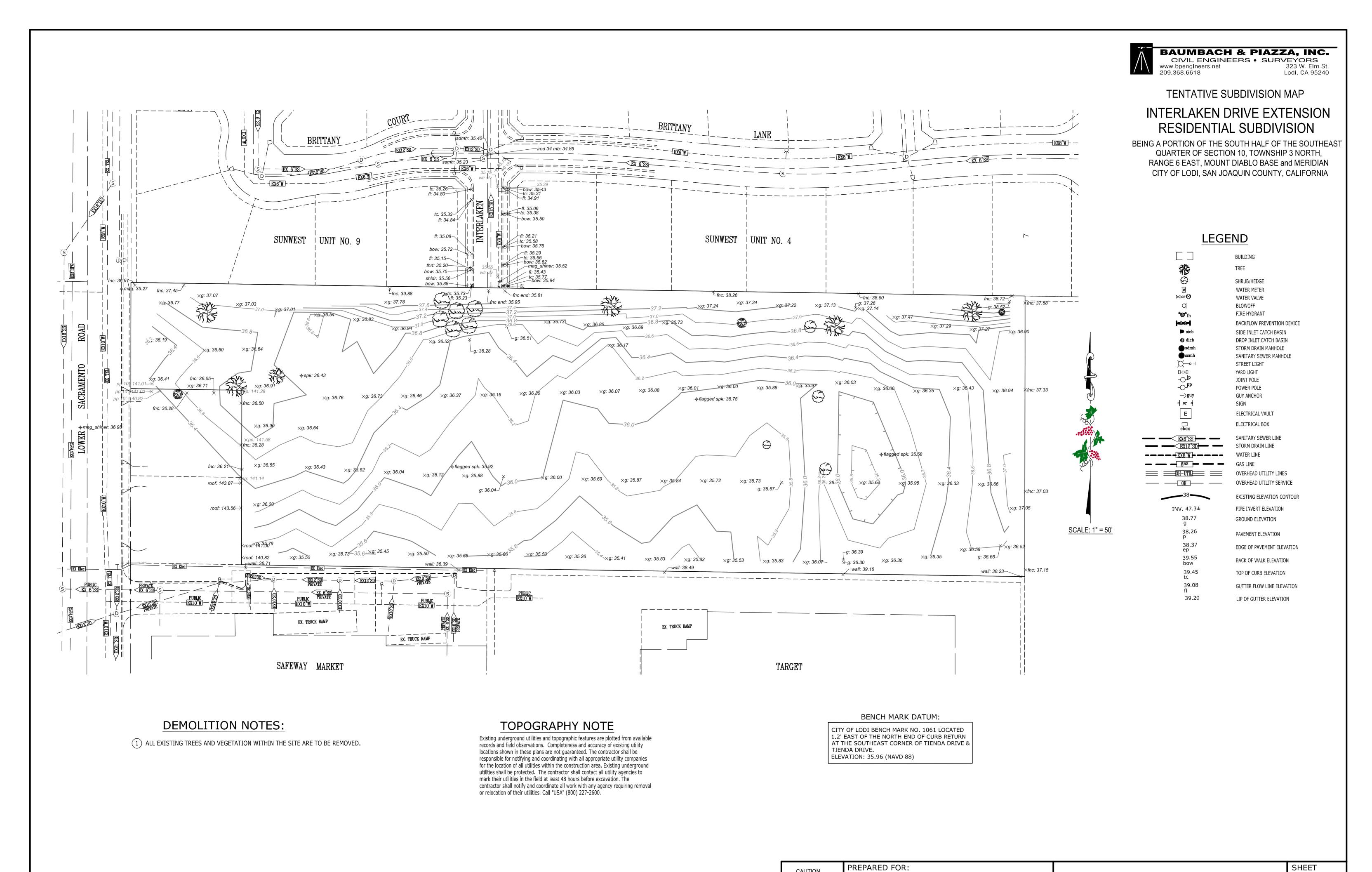
NORTH



SOUTH

1164 South Lower Sacramento Road





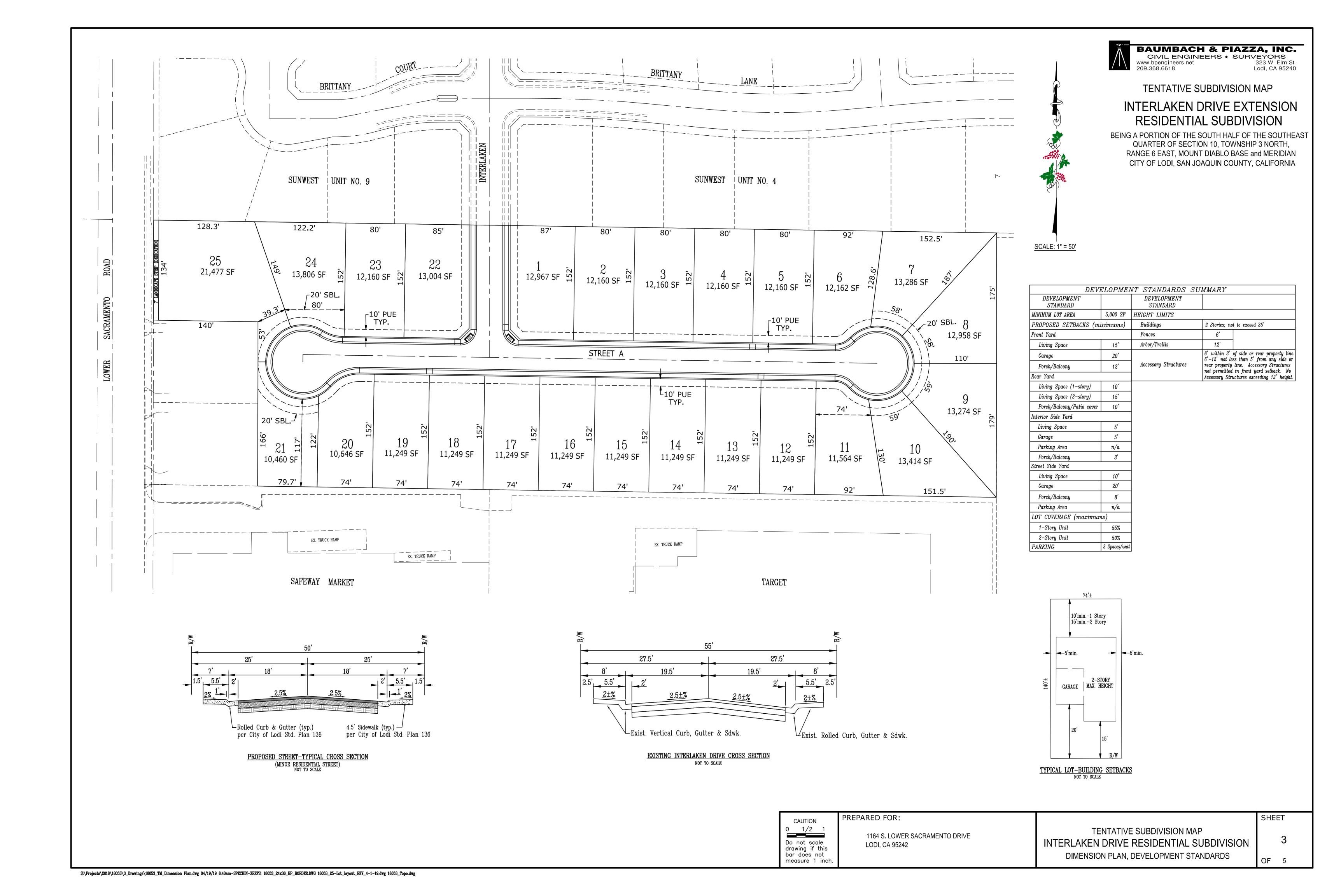
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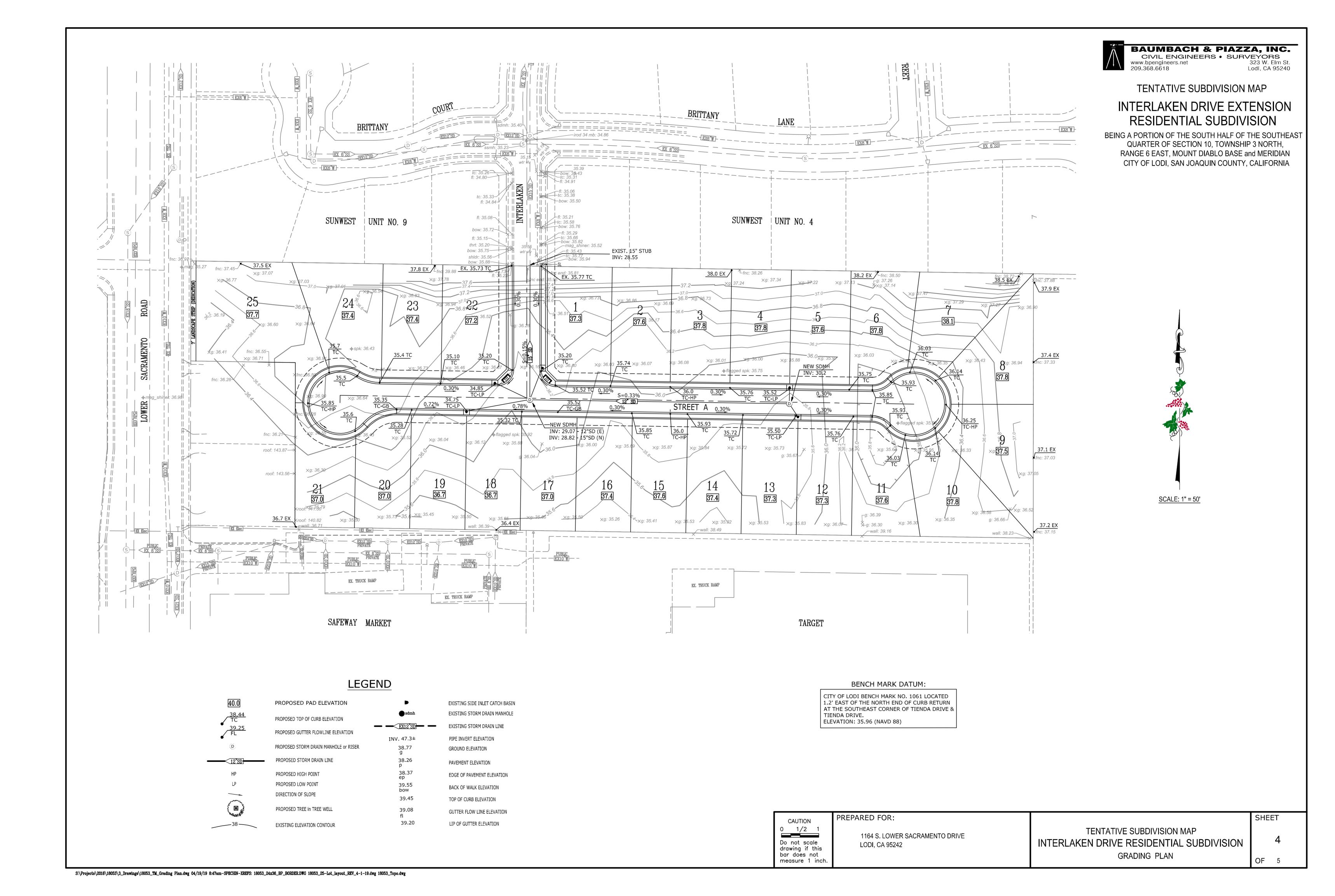
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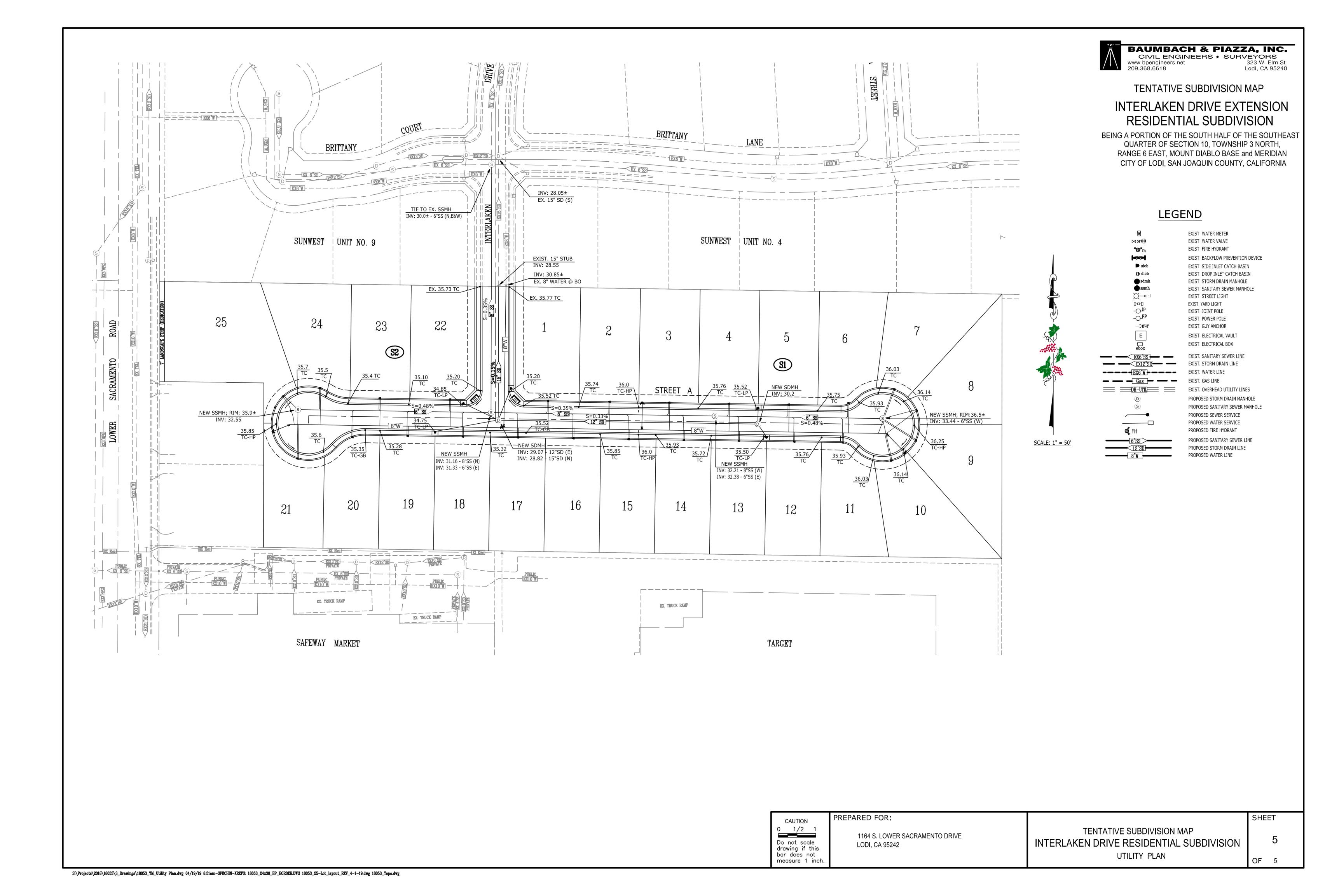
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May 1, 2019

Honorable Lodi Planning Commissioners c/o Lodi Community Development Director P.O. Box 3006 Lodi, CA 95241-1910

Re: Proposed Tentative Subdivision Map for the Bennett-Interlaken Subdivision at 1164 *South* Lower Sacramento Road

Dear Planning Commission Chair and Commissioners,

Thank you for the opportunity to review and provide input on the above noted project. I apologize that I am unable to attend the public hearing in person, but please accept this letter.

We are the owners of the home located at 1212 S. Lower Sacramento Road which abuts the subject property on its western border (directly south of proposed Lot 25). We are not generally opposed to this proposed infill development, but we do have one concern about light and glare.

The main roadway of the subdivision aligns directly with the back of our home (and most of our windows), so we will be directly in the line of travel of virtually every vehicle entering and/or exiting the subdivision. Consequently, we will experience significant light and glare from the headlights of all those vehicles.

In order to mitigate that problem, we request imposition of a condition of map approval that requires construction of a minimum 8 foot high masonry wall (as measured from finished grade of the proposed roadway) along our eastern property line which is at the western terminus of the proposed roadway.

In addition, we request that any street light installed on that cul-de-sac include anti-glare shields to focus the light downward onto the street and prevent ambient light from spilling over into our rear yard.

Thanks very much for your kind consideration.

Sincerely,

Terry T. Kiriu Trustor for the Kiriu Family Revocable Trust 1212 S. Lower Sacramento Road Lodi, CA 95242

RESOLUTION NO. 19-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI APPROVING THE REQUEST OF BENNETT LAND INVESTMENTS, INC. - MR. DENNIS BENNETT FOR APPROVAL OF SUBDIVISION MAP FOR BENNETT – IRIS DRIVE SUBDIVISION, A 8.47-ACRE, 25-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION AND GROWTH MANAGEMENT ALLOCATION FOR, 25 LOW-DENSITY RESIDENTIAL LOTS AT 1164 LOWER SACRAMENTO ROAD

- WHEREAS, the Planning Commission of the City of Lodi has heretorore held a duly noticed public hearing, as required by law, on the requested Subdivision application, in accordance with the Lodi Municipal Code, Section 17.74; and
- **WHEREAS**, the project site is located at 1164 Lower Sacramento Road, Lodi, CA 95240 (APN: 027-410-01); and
- **WHEREAS,** the applicant is Bennett Land Investments, INC. Mr. Dennis Bennett, PO Box 1597, Lodi, CA; and
- WHEREAS, the applicant, Bennett Land Investments, INC. Mr. Dennis Bennett, has filed the "Bennett Interlaken Drive" Subdivision Map and Growth Management Application with the City of Lodi, CA 95240; and
- WHEREAS, the project properties owners of record are 1164 Lower Sac., LLC. Mr. Dennis Bennett, PO Box 1597, Lodi, CA 95240; and
- WHEREAS, the project engineer is Baumbach and Piazza, INC., Mr. Steve Pechin, 323 West Elm Street Lodi, CA 95240
- WHEREAS, City Council Resolution No. 2010-41 adopted by the City Council on April 7, 2010, approved the land use designation as Low Density Residential for the project site; and
- WHEREAS, the City Council by Ordinance No. 1869, which became effective on March 21, 2013, granted Low Density Residential for the project site; and
- WHEREAS, the City Council by Resolution No. 2010-41, which became effective on April 7, 2010, certified an Environmental Impact Report (EIR), State Clearinghouse No. 20009022075, for the City of Lodi General Plan; and
- WHEREAS, a copy of the Environmental Impact Report (EIR), State Clearinghouse No. 20009022075, is kept on file for public review within the Community Development Department by the Community Development Director at 221 West Pine Street, Lodi, CA; and
- WHEREAS, the Subdivision Map contains 8.49 acres, 25-lots, and is located at 1164 Lower Sacramento Road, which is designated for low density residential development; and
- **WHEREAS**, the Community Development Department did study and recommend approval of said request; and
- **WHEREAS,** after due consideration of the project, the Planning Commission did conditionally approve the project; and
- **WHEREAS**, the Planning Commission's recommendation is based upon the following findings and determinations:
- 1. The proposed design and improvement of the tentative subdivision, as conditioned, will conform to the standards and improvements mandated by the adopted City of Lodi Public

- Works Department Standards and Specifications, Zoning Ordinance, as well as all other applicable standards.
- 2. The standard size, shape and topography of the site is physically suitable for residential development proposed in that the site is generally flat and is not within an identified natural hazard area.
- The site is suitable for the density proposed by the tentative subdivision map in that the site can be served by all public utilities and creates design solutions for storm water, traffic and air quality issues.
- 4. The standard design of the proposed tentative subdivision and the proposed improvements are not likely to cause substantial environmental damage or injure fish or wildlife or their habitat in that the site has been previously disturbed by agricultural activities. The project is consistent with the previous EIRs prepared for the property.
- 5. The design of the proposed tentative subdivision and type of improvements are not likely to cause serious public health problems in that all public improvements will be built per City standards and all private improvements will be built per the California Building Code.
- 6. The design of the proposed tentative subdivision and the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed tentative subdivision.
- 7. The subdivision is conditioned to construct improvements to Lodi Avenue thereby insuring that an adequate Level of Service is maintained on the roadways within the area.
- 8. An Environmental Impact Reports and Mitigation Monitoring and Reporting Program, Environmental Impact Report (EIR), State Clearinghouse No. 20009022075, were prepared for this project in compliance with Public Resources Code section 21000 et seq, and were independently reviewed and certified by the City Council. All potentially significant environmental impacts were publicly disclosed and made available for comment prior to any decisions to approve any part of the whole project. On March 21, 2013, the City Council adopted an Environmental Impact Report and Mitigation Monitoring and Reporting Program for all aspects of the proposed project. All mitigation measures for the project identified in the initial study and accompanying studies are hereby incorporated into this approval.
- 9. The project is required to comply with all the mitigation measures outlined for the project in the Environmental Impact Report and in the Mitigation Monitoring and Report Program.
- 10. The subdivision map allows for the orderly growth of Lodi in that the Land Use and Growth Management Element allows for density consistent with the proposed subdivision map.
- 11. Said Subdivision Map complies with the requirements of Article 5 of the Lodi Development Code, governing subdivision maps.

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED, by the Planning Commission of the City of Lodi hereby approves the Bennett – Interlaken Drive subdivision map and associated Development Standards and recommends that the City Council approve Bennett Land Investments, INC. - Mr. Dennis Bennett request for 25 Low Density Residential - growth management allocation units, for the Interlaken Drive project subject to the following development conditions and standards:

1. The property owner and/or developer and/or successors in interest and management shall, at their sole expense, defend, indemnify and hold harmless the City of Lodi, its agents, officers, directors and employees, from and against all claims, actions, damages, losses, or expenses of every type and description, including but not limited to payment of attorneys' fees and costs, by reason of, or arising out of, this development approval. The obligation to defend, indemnify and hold harmless shall include, but is not limited to, any action to arbitrate, attack, review, set aside, void or annul this development approval on any grounds

- whatsoever. The City of Lodi shall promptly notify the developer of any such claim, action, or proceeding and shall cooperate fully in the defense.
- 2. This recommendation for approval by the Planning Commission shall not constitute an authorization to begin any construction.
- 3. The developer shall comply with all the applicable requirements of the City's Community Development Department including Planning and Building Divisions; Public Works, Fire and Electric Utility Departments; and all other applicable local, state and federal agencies. It is the responsibility of the applicant to check with each agency for requirements that may pertain to the project.
- 4. The Tentative Map shall expire within 24 months of Planning Commission approval or a time extension must be granted by the Planning Commission.
- 5. The Final Map shall be in substantial conformance to the approved Tentative Map, as conditioned, and that any future development shall be consistent with applicable sections of the Municipal Code.
- 6. The developer shall install, on each residence, minimum four-inch high block style numbers for address identification. The numbers shall be in color that is contrasting to the background surface to which they are adhered and shall be readily visible from the street during the day and night. The construction drawings for the house plans shall identify the location of the address boxes or numbers on the house façades, along with a detail or keynote that describes how the house numbers will be illuminated or made identifiable from the street.
- 7. The developer shall submit detailed landscape and irrigation plans (concurrently with the improvement plans) for the review and approval. The landscape plan shall include, in addition to normal landscape and irrigation details, screening of any above ground utility vaults and anti-siphon water valves.
- 8. Meters, hydrants, poles, etc. shall be located clear of the sidewalk and driveways or as determined by the City Engineer. Final locations and the number of such facilities shall be determined at the time the improvement plans are reviewed.
- 9. A conceptual fencing/wall plan shall be submitted for the entire subdivision with the grading plan and a detailed fencing/wall plan shall be submitted with the improvement plans for each phase of development. The design, height, and location of walls shall be subject to approval of the Community Development Director prior to approval of improvement plans. Where fencing is adjacent to public parks and/or trails, plans shall be approved by the Recreation Commission at the time of park plan approval. When the adjacent area is sloped, the fence/wall design shall include a 4' bench (sloped no more than 2%) along the fence/wall for maintenance purposes, as determined by the Parks and Recreation and Cultural Services Department.
- 10. The improvement plans shall reflect that all storm drain inlets constructed or modified in conjunction with this project shall be labeled "No Dumping Drains to Canal" using thermoplastic stencils to the satisfaction of the Community Development Director.
- 11. The developer shall pay for and install all street name signs, traffic regulatory and warning signs, and any necessary street striping and markings required by the City Engineer. Street striping and markings shall be raised ceramic markers or thermoplastic material, as directed by the City Engineer.
- 12. Road or street names shall not duplicate any existing road or street name in the City, except where a new road or street is a continuation of an existing street. Road or street names that may be spelled differently but sound the same shall also be avoided. Road or street names shall be approved by the Fire Chief and the Community Development Director.

- 13. All improvements, public and private, shall be designed and constructed in accordance with the most recent edition of the City Plans and all applicable state and local ordinances, standards and requirements. Should a conflict arise, the governing specification shall be determined by the City Engineer.
- 14. In accordance with the Growth Management and Infrastructure/Public Facilities Element of the City's General Plan, the environmental review prepared for this project, and the regulations of the applicable school districts, the Developer shall demonstrate that adequate provision is made for school facilities. To the extent permitted by law, this may include the payment of school facility mitigation fees adopted by the Lodi Unified School district, or alternative financial arrangements negotiated by agreement between the Developer and the applicable school districts.
- 15. A master street tree plan shall be approved by the Public Works Department for each phase of this tentative subdivision map. A minimum of one street tree shall be provided for each lot within this subdivision. On corner lots, three street trees shall be provided; one on the shorter lineal frontage and two on the longer lineal frontage. Street trees shall be a species selected from the City's adopted tree list, shall be a minimum fifteen (15) gallon size, spaced at thirty (30) feet intervals, and planted as reflected in the Engineering Department's Standard Plans and Specifications, with branches above average eye level. The trees selected shall be deep rooted and drought tolerant. Location and species shall be to the approval of the Public Works Department.
- 16. The developer, in order to reduce tracking of mud throughout the City, shall be responsible for cleaning up or any expenses incurred by the City for cleaning up mud, debris, etc. from City streets that is attributed to this project during construction.
- 17. Construction activities shall be limited to the hours of 7:00 a.m. to 10:00 p.m. Monday through Sunday, consistent with the City's Ordinance.
- 18. No variance from any City of Lodi adopted code, policy or specification is granted or implied by this approval.

CDD - PLANNING

- 19. The City places a high value on quality design and materials in the construction of fencing and buffers for developments. Fencing is an integral design feature in residential developments and defines property ownership and boundaries. The City expects quality materials that will last and maintain an appealing aesthetic within neighborhoods. This includes metal or pressure treated posts for fencing.
- 20. The construction of the new buildings and related site improvements shall require building permits. All plan submittals shall be based on the City of Lodi Building Regulations and currently adopted 2016 California Building code. Please review our policy handouts for specific submittal procedures.
- 21. The wall along Lower Sacramento Road will be consistent with the Sun West wall to the north.
- 22. The landscaping along Lower Sacramento Road will be consistent with the Sun West landscaping to the north.
- 23. The project will need to pay for 8.47 acres of SJ Habitat Mitigation costs prior to ground disturbance. Please contact San Joaquin Council of Governments at Phone: (209) 235-0600

CITY OF LODI FIRE DEPARTMENT

24. The developer shall comply with all applicable requirements of the California Fire Code and the adopted policies of the City of Lodi.

- 25. Fire apparatus access roads shall have an unobstructed width of not less than 24 feet, exclusive of shoulders, except for approved security gates in accordance with Section 503.6 of the California Fire Code and an unobstructed vertical clearance of not less than 13 feet 6 inches. (Ord. No. 1840, § 1, 11-17-2010)
- 26. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend within 150 feet (45,720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
- 27. The developer shall install on-site and/or boundary water mains, fire hydrants and related services. Hydrants shall adhere to the City's standard details, with their location determined by the Fire District and City Engineer, and shall be installed and in service prior to any combustible construction on the site. Public fire hydrant spacing and distribution shall be determined as follows:
 - a. At 300 feet spacing in high density, commercial, industrial zoning or high-value areas;
 - b. At 500 feet spacing in low density residential areas;
 - c. At 1000 feet spacing in residential reverse frontage;
 - d. A fire hydrant shall be located within 200 feet of the radius point of all cul-de-sacs;
 - e. Hydrants shall be required on both sides of the street whenever one or more of the following conditions exist:
 - i. Streets have median center dividers that make access to hydrants difficult, cause time delays, or create undue hazards or both;
 - ii. On major arterials where there is more than four lanes of traffic;
 - iii. Width of street in excess of 88 feet;
 - iv. The existing street being widened or having a raised median center divider in the future pursuant to the General Plan Roadway Improvement Plans for the City of Lodi.
- 28. An automatic sprinkler system installed in accordance with <u>Section 903.3</u> shall be provided throughout all buildings with a Group R fire area.

CITY OF LODI PUBLIC WORKS DEPARTMENT

The following conditions of approval are required for the subject project per City codes and standards, all to be accomplished prior to, or concurrent with, final map filing unless noted otherwise:

- 29. The project development shall comply with the requirements of Senate Bill (SB) 5, related to an urban level of flood protection (200-year storm event). The developer has the option of 1) Preparing their own 200-year flood protection report to prove that their property is in compliance, or 2) Contribute towards the City's delineation map and study that is currently being completed. The preliminary delineation map identifies portions of this property as having flood depths of less than 1', which does not require any additional measures for compliance. The City's cost for the delineation map and study is approximately \$200 per lot.
- 30. Project design and construction shall be in compliance with the applicable terms and conditions of the Multi-Agency Post-Construction Stormwater Standards Manual adopted by the City of Lodi in compliance with the State Water Resources Control Board's Phase II MS4 permit.

- a. A Project Storm Water Plan must be submitted for approval prior to any master plan and improvement plans submittal.
- b. State-mandated construction site inspections to assure compliance with the City of Lodi's Phase II MS4 permit are required. The fee for these inspections is the responsibility of the developer and must be paid prior to the map filing or commencement of construction operations, whichever occurs first.
- 31. Utility Master Plans (Storm Drain, Water, and Wastewater) and major street geometrics, including cross sections, shall be approved prior to submittal of Public Improvement Plans.
- 32. Engineered improvement plans and cost estimate shall be submitted for approval per City Public Improvement Design Standards for all public improvements prior to final map filing. Plan submittal to include:
 - c. Approved tentative map, signed by the Community Development Director.
 - d. Landscape and irrigation plans shall conform to the Model Water Efficient Landscaping Ordinance (MWELO) per the Governor's Executive Order B-29-12 adopted on December 31, 2015.
 - i. Landscape Planting Plan required with the first submittal. Full landscape and irrigation plans are required with the second submittal.
 - ii. MWELO landscape plan submittal will be required with the second submittal.
 - e. Current soils report. If the soils report was not issued within the past three (3) years, provide an updated soils report from a licensed geotechnical engineer.
 - f. Grading, drainage and erosion control plan.
 - g. Copy of Notice of Intent for NPDES permit, including storm water pollution prevention plan (SWPPP).
 - h. All utilities, including street lights and electrical, gas, telephone and cable television facilities.
 - i. Undergrounding of all overhead utilities required (if applicable).
 - j. Joint Trench plans (required with second submittal).
 - k. Reverse frontage wall and details. Minimum wall height shall be 8 feet above the adjacent pad and/or ground elevation or as required by Community Development Department to satisfy the general plan requirements.
 - I. Street tree planting plan for planter along Lower Sacramento Road requires approval of the Community Development Director and Public Works Director.
 - A complete plan check submittal package, including all the items listed above plus the Map/Improvement Plan Submittal cover letter, Improvement Plan Checklist and engineering plan check fees, is required to initiate the Public Works Department plan review process for the engineered improvement plans.
- 33. Design and installation of public improvements shall be in accordance with City Master Plans. Street, wastewater, storm drainage, and water master plans and design calculations will be required for the development.

Street

- i. All street designs shall conform to the City of Lodi Design Standards.
- ii. Curb returns and corner cut-offs shall conform to City of Lodi Standard Plans 611 and 612.

- iii. All residential streets shall contain rolled type (fronts) curb, gutter and sidewalk as reflected in the tentative map submittal; and shall conform with City of Lodi Standard Plan 136.
- iv. Install street lights along Interlaken Drive and Street "A".
- v. Provide all necessary traffic signs along Interlaken Drive and Street "A".
- vi. Install frontage improvements including but not limited to reverse frontage walls, landscaping, and irrigation improvements along Lower Sacramento Road in accordance with City Standards. The reverse frontage wall, landscaping and irrigation improvements shall be constructed by the developer at the developer's expense, to the approval of the Public Works Director and Community Development Director.
- vii. All public and private block walls are subject to the following criteria:
 - Minimum reverse-frontage wall heights shall be 8 feet above the highest adjacent pad elevation or as required by the Community Development Department Director and Public Works Director. All walls 7-feet and taller, including fencing on top of walls, require a building permit from the Community Development Department.
 - 2. A wall detail shall be included with the improvement and grading plans for reference.
 - 3. Wall shall be setback to accommodate reverse frontage landscaping and irrigation improvements.
 - 4. Provide a public wall easement along all parcels containing a public masonry wall (including footings). The masonry wall along Lower Sacramento Road shall be in a public wall easement.

Wastewater

- i. Wastewater system shall be designed in conformance with the City's Wastewater Master Plan and design standards.
- ii. The public sewer main shall be extended from the existing public wastewater main in Brittany Lane and Interlaken Drive if possible.
- iii. Separate wastewater services in conformance with Standard Plan 201 shall be provided for each parcel from the public wastewater main.
- iv. Flushing station(s) may be required at locations with peak flows below City Standards.

Storm Drainage

- i. The storm drain system shall be designed in conformance with the City's Storm Drain Master Plan and design standards. The engineer shall submit a C factor calculation to show the proposed development meets the current standard runoff coefficient, otherwise the engineer shall consider using higher C factors to calculate storm water runoff from the development.
- ii. Slopes for all parcels within the development shall flow towards the proposed street. All stormwater shall be collected within the development and cannot flow to neighboring parcels.
- iii. An overland flood release pathway shall be incorporated in the street and circulation design plan for each subarea. For example, when any particular catch basin or pipe

is obstructed or overwhelmed with water, the street drainage design (high points and low points) shall be calculated so that no water shall pond higher than 1-foot below any finished floor elevation without releasing the excess water toward the planned flood release point.

Water

- i. The water system shall be designed in conformance with the City's Water Master Plan and design standards.
- ii. The public water main shall be extended from the existing public water main in Interlaken Drive to provide domestic service and fire hydrants as required by the Fire Department.
- iii. Separate water services in conformance with Standard Plan 403 shall be provided for each parcel from the public water main in Interlaken Drive or Street "A". Service sizes shall be identified on the plans.
- iv. A water sampling station shall be provided within the subdivision. The location of the sampling station will be provided by the City Engineer during the plan check process.
- v. When possible, fire hydrants shall be placed between driveways. Fire hydrants shall also be placed in side yards as opposed to front yards (for corner lots).
- vi. Water meter boxes shall be located inside a public utility easement and outside of areas subject to vehicular travel.
- 34. Provide an onsite fire-truck/garbage truck turning analysis.
- 35. Provide street name for the street in the development for approval.
- 36. Provide a slope easement or retaining wall along the boundary of the development for all grade differentials of 0.5 feet or greater.
- 37. All unused water, wastewater and storm drain stubs shall be abandoned at the developer's expense.
- 38. All on-site water wells and septic systems shall be abandoned in conformance with San Joaquin County standards prior to building permit issuance. A copy of the abandonment permit shall be submitted to the City after the completion of the abandonment.
- 39. All public improvements shall be installed within one year of final map filing under the terms of an improvement agreement, to be approved by the City Council prior to final map filing. The Developer will be required to provide warranty security in the amount of 10% of the value of the public improvements. The warranty period will be two (2) years, commencing on the date of acceptance of the public improvements.
- 40. The Developer shall provide on-going maintenance and replacement of reverse frontage walls, landscaping and irrigation improvements, street trees in the parkways, as well as other public services by annexation to the City of Lodi Community Facilities District prior to final map filing. All costs associated with annexation to the District are the Developer's responsibility. Developer is responsible for the regular and ongoing maintenance and replacement of the landscaping and irrigation improvements and street trees for one year after the first revenues are received by the City from the Community Facilities District.
- 41. All project design and construction shall be in compliance with the Americans with Disabilities Act (ADA) and California Title 24. City of Lodi Standard Plans are in the process of being revised and it should not be assumed that current standard plans are fully ADA compliant. Project compliance with ADA standards is the developer's responsibility

- 42. The developer shall dedicate all public utility easements (PUEs) required by the various utility companies and the City of Lodi.
- 43. All property dedicated to the City of Lodi shall be free and clear of all liens and encumbrances and without cost to the City of Lodi and free and clear of environmental hazards, hazardous materials or hazardous waste. Developer shall prepare and submit a hazardous materials report and shall indemnify the City against any and all hazardous materials and/or ground water contamination for all property/easements dedicated to the City.
- 44. In order to assist the City of Lodi in providing an adequate water supply, the Owner/Developer on behalf of itself, its successors and assigns, shall enter into an agreement with the City that the City of Lodi be appointed as its agent for the exercise of any and all overlying water rights appurtenant to the proposed parcels, and that the City may charge fees for the delivery of such water in accordance with City rate policies. In addition, the agreement shall assign all appropriative or prescriptive rights to the City. The agreement will establish conditions and covenants running with the land for all lots within the boundaries of the parcel map and provide deed provisions to be included in each conveyance.
- 45. As required by the California Green Building Code (CALGreen), project shall participate in the Construction and Demolition Recycling Program.
- 46. Remove and replace all broken, damaged or nonconforming sidewalk along the Lower Sacramento Road frontage in conformance with City of Lodi Standards.
- 47. Prior to any work within City Right-of- Way, the applicant shall obtain an encroachment permit issued by the Public Works Department.
- 48. All existing survey monuments are to be preserved per California Senate Bill 1467. It is the applicant's responsibility to ensure that monuments are properly protected and/or perpetuated. If any of the monuments are to be disturbed or are near the area of construction, a licensed surveyor must confirm that the monuments have been protected and/or perpetuated and the appropriate documentation has been recorded.
- 49. Annexation to Community Facilities District 2007-1 (Public Services) to cover the cost of providing various City services is required. Annexation shall be complete prior to final map filing. All costs associated with annexation to the Community Facilities District shall be the responsibility of the developer.
- 50. Submit final map per City and County requirements including the following:
 - a. Preliminary title report including copies of all referenced exception documents.
 - b. Waiver of access rights at the Lot 25 adjacent to Lower Sacramento Road.
 - c. Standard note regarding requirements to be met at subsequent date.
 - d. Final Map Guarantee.
 - e. Annexation to Community Facilities District.
- 51. Obtain the following permits:
 - a. Grading Permit issued from the City of Lodi Building Department.
 - b. Building Permit issued from the City of Lodi Building Department.
 - c. Encroachment Permit issued from the City of Lodi Public Works Department for any work within the City's public right of way or on existing public water, wastewater and storm drain infrastructure.

- d. San Joaquin County well/septic abandonment permit (if needed).
- e. NPDES Construction General Permit (SWPPP).
- f. San Joaquin Valley Air Pollution Control District (SJVAPCD) permits.
- 52. Payment of the following fees:
 - a. Filing and processing fees and charges for services performed by City forces per the Public Works Fee and Service Charge Schedule.
 - b. Regional Transportation Impact Fee (RTIF).
 - c. Encroachment Permit fee.
 - d. Filing and processing fees and charges for services performed by City forces per the Public Works Fee and Service Charge Schedule.
 - e. Stormwater Compliance Inspection Fee prior to building permit issuance or commencement of construction operations, whichever occurs first.
 - f. Annexation into the City of Lodi Community Facilities District Estimated at \$10,000 prior to recording the final map. The annexation process generally requires 2-3 months to complete.
- 53. Payment of the following fee prior to temporary occupancy or occupancy of the building unless noted otherwise:
 - a. Development Impact Mitigation Fees per the Public Works Fee and Service Charge Schedule.
 - b. County Facilities Fees.

Commissioners:

(The fees referenced above are subject to periodic adjustment as provided by the implementing ordinance/resolution. The fee charged will be that in effect at the time of collection indicated above.)

- 54. The landscape lot along Lower Sacramento Road will be conveyed to the City by street easement / right of way.
- 55. Additional comments and conditions will be provided during the building permit review process when more detailed plans are available.

Dated: May 8, 2019

AYES:

I certify that Resolution No. 19-XX was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on May 8, 2019 by the following vote:

NOES:	Commissioners:		
ABSENT:	Commissioners:		
		ATTEST	
		Secretary, Planning Commission	

Item 3b



MEETING DATE: May 8, 2019

APPLICATION NO: Parcel Map: 2019-09 P

REQUEST: Request for Planning Commission approval of a Tentative Parcel Map to

divide one parcel into four lots and a remainder at 380 South Sunset. (Applicant: Virginia Irene Wagers and Susan Maureen Halverson; File 2019-09 P; CEQA Determination: Categorical Exemption Pursuant to

CEQA Guidelines Section 15332)

LOCATION: 380 S. Sunset Drive

APN 033-080-07 Lodi, CA 95242

APPLICANT: Virginia Irene Wagers and Susan Maureen Halverson

Co-Trustees of the Wagers Revocable Trust

c/o Mr. Barney Ng 255 Clyde Drive

Walnut Creek, CA 94598

Baumbach and Piazza, INC.

Mr. Steve Pechin 323 West Elm Street Lodi, CA 95240

PROPERTY

OWNER: Virginia Irene Wagers and Susan Maureen Halverson

Co-Trustees of the Wagers Revocable Trust

c/o Mr. Barney Ng 255 Clyde Drive

Walnut Creek, CA 94598

RECOMMENDATION

Staff recommends the Planning Commission approve the request of Virginia Irene Wagers and Susan Maureen Halverson for a Tentative Parcel Map to subdivide one parcel into four lots and a remainder, subject to the conditions outlined in the draft resolution.

PROJECT/AREA DESCRIPTION

General Plan Designation: Low and Medium Density Residential Low and Medium Density Residential

Property Size: 1.34 acres

The adjacent zoning and land use are as follows:

ADJACENT ZONING DESIGNATIONS AND LAND USES				
	GENERAL PLAN	ZONING CLASSIFICATION	EXISTING LAND USE	
North	Low Density Residential	Low Density Residential	Single Family Residential	
South	Office	Office	Offices	
East	Office	Office	Offices	
West	Office	Office	Offices	

Properties to the east and south of the property are office uses. The property to the north is the Sunset Drive subdivision and along Ham Lane is open parking lot and church.

BACKGROUND:

The subject property is an older historic parcel that has not historically been subdivided or developed to what City standards would allow for.

The Sunset Drive (Cuthbertson Tract) subdivision to the north was approved in 1940. The properties along Fairmont Drive to the east were subdivided in 1920.

The property currently contains a single family home with accessory structures.

The property location map is included as Attachment A, and the Tentative Parcel Map is included as Attachment B.

The applicant is proposing a parcel map that would create 4 single family parcels and a remainder parcel for a future multi-family site.

ANALYSIS:

The properties are currently zoned Low Density Residence (LDR) / Medium Density Residential (RMD) and designated Low Density Residential (1-8 units per acre) / Medium Density Residential (8-20 units per acre) in the General Plan. As proposed, the lots will exceed minimum lot size and width and comply with land use density standards.

General Plan Conformance:

The subject property is currently designated Low Density Residential (1-8 units per acre) / Medium Density Residential (8-20 units per acre) by the Land Use Map of the General Plan. The following General Plan Land Use and Community Design and Livability (CDL) goals and policies are applicable to the proposed subdivision:

- Land Use Policy 3: Do not allow development at less than the minimum density prescribed by each residential land use category.
- Land Use Policy 22: promote infill development that maintains the scale and character of established neighbors.
- CDL Policy 2: Ensure that Zoning and Subdivision ordinances include measures that guide infill development to be compatible with the scale, character and identity of adjacent development.

The proposed project creates parcels consistent with the General Plan.

Zoning Compliance:

Zoning Compliance: The project site is zoned Low Density Residential / Medium Density Residential. This designation requires a minimum lot size of 5,000 sq ft

The proposed lot sizes are as follows.

LOT	SIZE	ZONING
1	7,538	RLD
2	6.997	RLD
3	6,260	RLD
4	5,833	RLD
Remainder	22,847	RMD

The single family lots on Sunset Drive are 70 ft by 85 ft totaling 6,000 sq ft lots. The proposed development is consistent with larger parcels.

The half acre remainder parcel can ultimately be used for medium density multi-family housing.

The Zoning Code implements the goals and policies of the General Plan. The subject property is zoned Low Density Residence (LDR) / / Medium Density Residential (RMD). As can be seen from the tables above, the proposed tentative subdivision map meets or exceeds the minimum lot area, lot width, and street frontage standards. The applicant has not prepared construction plans at this time, but any future development on the parcels will be subject to building permit review by City staff to ensure compliance with all applicable zoning standards and all other applicable provisions of the Municipal Code.

The design standards within the zoning code requires frontage onto public streets and design of developments need to match the scale of the neighborhood.

Public Street Access

The project includes the construction of a cul-de-sac feature. This is a significant improvement for Sunset Drive and helps improve fire and police responses and the ability to turn around a large vehicle. This improvement will help circulation on the road.

Utilities – Public Water and Sewer

Water lines and sewer lines cross this property and serve the property to the east. These utility lines need to continue after the parcel map and development. The project has been conditioned to ensure that all utilities are located and any other utilities serving adjacent properties.

The City of Lodi encourages infill development to take advantage of existing infrastructure and reduce sprawl into adjacent agricultural lands. The General Plan policies require efficiency of land development and directs staff to ensure that developments utilize land to the best density to reduce the need for the conversation of agricultural land surrounding the city.

Findings:

Pursuant to Lodi Development Code Section 17.52.070, in order to approve the proposed tentative parcel map, the proposed subdivision must be found consistent with the general plan, zoning ordinance, and the Subdivision Map Act (State law). Based on the analysis above, staff finds that the proposed tentative map is in conformance with the General Plan, zoning ordinance, and the Subdivision Map Act. However, if any of the following findings can be made, the tentative map shall be denied.

- 1. The proposed subdivision including design and improvements is not consistent with the General Plan or any applicable Specific Plan. Comment: The site contains a General Plan designation of low density residential and medium density residential. The design of the parcel map creates parcels consistent with the General Plan and creates parcels that create a distinction between the two land use designations.
- 2. The site is not physically suitable for the type or proposed density of development. Comment: No unusual topographic features are present onsite that would prohibit development of proposed parcels. The site is generally flat, with no regulated sensitive areas or other limiting topographic features. The site consists of a single residential lot and associated structures. The subdivision will create lots with adequate land area to support a detached single-family dwelling with standard setbacks and ample useable private yard space and a larger multi-family site.
- 3. The design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or injure fish or wildlife or their habitat. **Comment:** The project site is not located in a sensitive environment but rather in a previously disturbed area surrounded by other residential and office land uses. The scope of the project would not have a significant adverse impact on the environment.
- 4. The design of the subdivision or type of improvements is likely to cause serious public health or safety problems. Comment: Frontage improvements on Sunset Drive are required for the development of the parcels and public access and utilities for each lot are available. The lots being created will comply with all applicable single-family sanitary sewer service and stormwater runoff treatment requirements, as well as other similar environmental and life safety regulations and standards.
- 5. The design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large for access through or use of, property within the proposed subdivision. This finding may not be made if the Commission finds that alternate easements for access or use will be provided, and that they will be substantially equivalent to ones previously acquired by the public. This finding shall apply only to easements of record, or to easements established by judgment of a court of competent jurisdiction, and no authority is hereby granted to the review authority to determine that the public at large has acquired easements of access through or use of property within the proposed subdivision. Comment: The proposed project will not conflict with any public easements that currently encumber the property to be subdivided, and all modifications made to the existing public improvements fronting the parcels during development of the properties will be required to be constructed to current City standards.
- 6. The discharge of wastewater from the proposed subdivision into the community wastewater system would result in violation of existing requirements prescribed by the California Regional Water Quality Control Board. Comment: The proposed project will not conflict with any public easements that currently encumber the property to be subdivided, and all

- modifications made to the existing public improvements fronting the parcels during development of the properties will be required to be constructed to current City standards.
- 7. Information available to the City indicates adverse soil or geological conditions and the subdivider has failed to provide sufficient information to the satisfaction of the Public Works Director or the Commission that the conditions can be corrected in the plan for the development. Comment: No information has been found to indicate the project site is considered contaminated, or may contain contaminant particles.
- 8. The proposed subdivision is not consistent with all applicable provisions of this Title, any other applicable provision of the Municipal Code, and the Subdivision Map Act. Comment: The procedural requirements of the Map Act are being followed and the parcels will comply with the applicable engineering and zoning standards pertaining to grading, drainage, utility connections, lot size and density.

The tentative parcel map has been reviewed by the Public Works and Electrical Utility Departments and they recommended approval subject to the conditions outlined in the attached resolution. Staff has found that the proposed Tentative Parcel Map, subject to the conditions in the attached resolution, meet the requirements of the Zoning Ordinance and is consistent with the General Plan. Based on the information provided in the analysis above, staff recommends approval of the Tentative Parcel Map subject to the findings and conditions of approval contained in the staff report.

ENVIRONMENTAL ASSESSMENTS:

The California Environmental Quality Act (CEQA) requires analysis of agency approvals of discretionary "Projects." A "Project," under CEQA, is defined as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." The proposed Tentative Parcel Map is a project under CEQA.

The City Council, by Resolution No. 2010-41, which became effective on April 7, 2010, certified an Environmental Impact Report (EIR), State Clearinghouse No. 20009022075, for the City of Lodi General Plan. This General Plan designated the project site as Low Density Residential and Medium Density Residential.

No potential new impacts related to the Project have been identified that would necessitate further environmental review beyond the impacts and issues already disclosed and analyzed in the General Plan EIR. No increase in development density beyond what was anticipated in the General Plan for the Project site would occur. No other special circumstances exist that would create a reasonable possibility that the proposed Project will have a significant adverse effect on the environment.

The Class 32 "Infill" Categorical Exemption (CEQA Guideline Section 15332), hereafter referred to as the Class 32 Exemption, exempts infill development within urbanized areas if it meets certain criteria. The class consists of environmentally benign infill projects that are consistent with the General Plan and Zoning requirements. This class is not intended for projects that would result in any significant traffic, noise, air quality, or water quality impacts. This exemption is not limited to any use type and may apply to residential, commercial, industrial, public facility, and/or mixed-use projects.

Therefore, the proposed Project qualifies for the exemption under CEQA Guidelines Section 15332 and no further environmental review is required.

PUBLIC HEARING NOTICE:

Legal Notice for the Use Permit was published in the Lodi News Sentinel on Saturday, April 27, 2018. Fifty-Nine (59) public hearing notices were sent to all property owners of record within a 300-foot radius of the project site as required by California State Law §65091 (a) 3. Public notice also was mailed to interested parties who had expressed their interest of the project.

RECOMMENDED MOTIONS:

Should the Planning Commission agree with staff's recommendation, the following motions are suggested:

"I move that the Planning Commission adopt a Resolution finding that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 and approve the request of Virginia Irene Wagers and Susan Maureen Halverson for a Tentative Parcel Map to subdivide one parcel into four parcels and a remainder, subject to the conditions outlined in the draft resolution."

ALTERNATIVE PLANNING COMMISSION ACTIONS:

- Approve the request with attached or alternate conditions
- Deny the request
- Continue the request.

Respectfully Submitted,

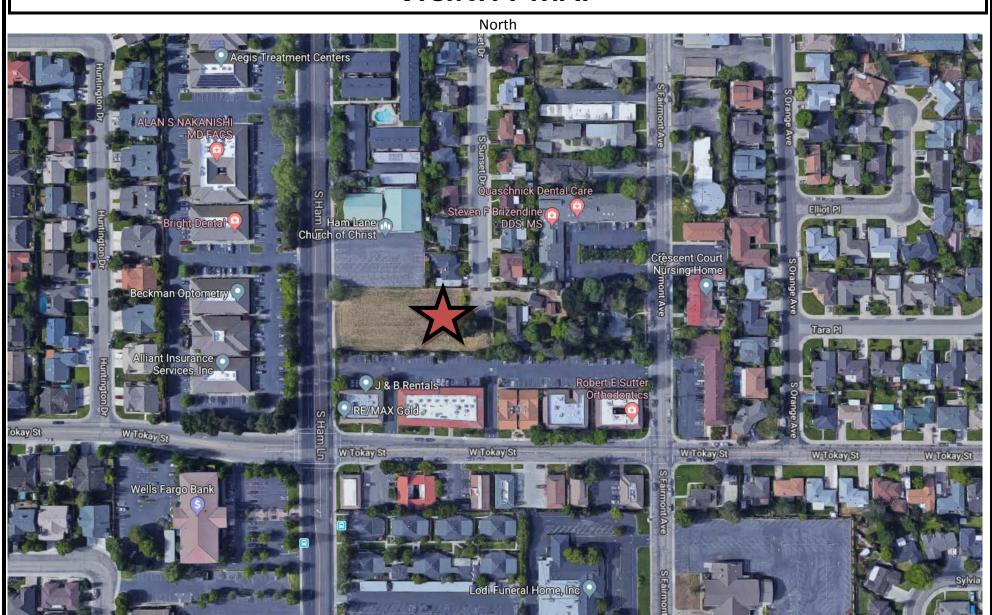
Concur,

Craig Hoffman City Planner Stephen Schwabauer Community Development Director

ATTACHMENTS:

- A. Vicinity / Aerial Map
- B. Tentative Map
- C. Draft Resolution

VICINITY MAP



South

380 South Sunset Drive

TENTATIVE PARCEL MAP BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 3 NORTH, RANGE 6 EAST, MOUNT DIABLO BASE and MERIDIAN, CITY OF LODI, SAN JOAQUIN COUNTY, CALIFORNIA APRIL, 2019 HOUSE EXIST. 6' PUR -459.3 0 DESIGNATED REMAINDER PARCEL 22,847± SF (0.52± AC) 459.3 TOKAY STREET

DEMOLITION NOTES: ALL EXISTING STRUCTURES ARE TO BE REMOVED AS PART OF THIS PROJECT.

2 EXISTING DRIVEWAY IS TO BE REMOVED.

BAUMBACH & PIAZZA, INC. CIVIL ENGINEERS • SURVEYORS www.bpengineers.net 923 W. Fim SL 209.388.686 Lodi. CA 95240

NOTES

1. OWNER

MRGINA RENE WAGERS and SUSAN MAUREEN HALVERSON, CO-TRUSTEES of the WAGERS REVOCABLE TRUST (c) BARNEY NG (25 SCLYDE DRIVE WALNUT CREEK, CA 94598 BARNEY NG (925) 766-0670

VIRGINA IRENE WAGERS and SUSAN MAUREEN HALVERSON, CO-TRUSTESS of the WAGERS REVOCABLE TRUST OLE BARNEY NG 255 CLYDE DRIVE WALNUT CREEK, CA 94598 BARNEY NG (925) 766-0670

3. ENGINEER

BAUMBACH & PIAZZA, INC. 323 W. ELM STREET LODI, CA 95243 (209) 368-6618

4. SITE APN: 033-080-07

380 S. SUNSET DRIVE LODI, CA 95242 SITE ADDRESS:

EXISTING: ONE SINGLE FAMILY RESIDENCE PROPOSED: MEDIUM DENSITY RESIDENTIAL 6. LAND USE:

7. SITE AREA 1.34 +/- ACRES

8. NUMBER OF PARCELS: EXISTING- ONE PARCEL PROPOSED - FOUR PARCELS and a DESIGNATED REMAINDER

9. UTILITIES CITY OF LODE WATER:

STORM DRAINAGE: CITY OF LODE PACIFIC GAS & FLECTRIC COMPANY GAS ELECTRIC: LODI ELECTRIC UTILITY DEPARTMENT

TELEPHONE: T&TA

10. EXISTING UTILITIES ARE PLOTTED BASED ON RECORD INFORMATION.

11. WATER, STORM DRAIN AND SANITARY SEWER IMPROVEMENTS AND ALL STREET IMPROVEMENTS ARE PROPOSED TO BE PUBLIC IMPROVEMENTS.

12. PUBLIC UTILITY EASEMENTS SHALL BE DEDICATED ALONG ALL STREET FRONTAGES.

THIS PROPERTY IS IN FLOOD AREA ZONE X.AS SHOWN ON FEMA MAP NUMBER 08077C0168F, "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."

ENGINEER'S/SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION.

JOSHUA COOK ELSON, PLS 7889



TOKAY STREET KETTLEMAN LANE

VICINITY MAP

(3) EXISTING SANITARY SEWER SERVICE IS TO BE ABANDONED IN PLACE, OR REMOVED. (4) IDENTIFIES EXISTING TREES WITHIN THE SITE THAT ARE TO BE REMOVED.
ADDITIONAL TREES MAY BE ULTIMATELY REMOVED DEPENDING ON DEVELOPMENT OF INDIVIDUAL PARCELS.

CAUTION

PREPARED FOR:

LEGEND

V/ATER METER

FIRE HYDRANT SIDE INLET CATCH BASIN

STORM DRAIN MANHOLF

SANITARY SEWER MANHOLE SANITARY SEWER CLEANOUT

EXISTING SANITARY SEWER LINE

PROPOSED SANITARY SEWER LINE

EXISTING STORM DRAIN LINE

EXISTING WATER LINE

PROPOSED WATER LINE

CURB, GUTTER & SIDEWALK

PUBLIC UT: LITY EASEMENT

DRIVEWAY

FACE OF CURB

EXISTING SANITARY SEWER SERVICE LINE

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—**√188 S**

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- KX80,20

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EX. or EXIST.

DWY.

DWY.

C.G.85

FOC

PJE

VIRGINA IRENE WAGERS and SUSAN MAUREEN HALVERSON, CO-TRUSTEES of the WAGERS REVOCABLE TRUST

TENTATIVE PARCEL MAP 380 S. SUNSET DR., LODI REVISED APRIL 8, 2019

SHEET

OF 1

S. Projecte', 2016/1,005/A. Druning/1,0054. 200 S. Daneel. Tendative Pil. drg 04/10/10 11.15m-579CHF-18925. 18c2l. EP. drg 10054. 2010. drg 10054. 24c30. EP. D69DE219C 10054. 200 S. Daneel. City-til Legent drg

RESOLUTION NO. P.C. 19-XX

- A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI APPROVING THE REQUEST OF VIRGINIA IRENE WAGERS AND SUSAN MAUREEN HALVERSON FOR A TENTATIVE PARCEL MAP TO SUBDIVIDE ONE PARCEL INTO FOUR PARCELS AND A REMAINER PARCEL AT 380 S. SUNSET DRIVE
- WHEREAS, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the requested Parcel Map, in accordance with the Lodi Development Code, Section 17.74 (Public Hearings); and
- WHEREAS, the property is located at 380 S. Sunset Drive, Lodi, CA 95242, APN 033-080-07; and
- WHEREAS, the project proponent is Virginia Irene Wagers and Susan Maureen Halverson, Co-Trustees of the Wagers Revocable Trust, c/o Mr. Barney Ng, 255 Clyde Drive, Walnut Creek, CA 94598; and
- WHEREAS, the property owner is Virginia Irene Wagers and Susan Maureen Halverson, Co-Trustees of the Wagers Revocable Trust, c/o Mr. Barney Ng, 255 Clyde Drive, Walnut Creek, CA 94598; and
- WHEREAS, the property is zoned Low Density Residential and Medium Density Residential; and
- WHEREAS, the property has a General Plan land use designation of LDR, Low Density Residential and MDR, Medium Density Residential; and
- WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred; and

Based upon the evidence within the staff report and project file the Planning Commission finds:

1. The California Environmental Quality Act (CEQA) requires analysis of agency approvals of discretionary "Projects." A "Project," under CEQA, is defined as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." The proposed Tentative Parcel Map is a project under CEQA.

The City Council, by Resolution No. 2010-41, which became effective on April 7, 2010, certified an Environmental Impact Report (EIR), State Clearinghouse No. 20009022075, for the City of Lodi General Plan. This General Plan designated the project site as Low Density Residential and Medium Density Residential.

No potential new impacts related to the Project have been identified that would necessitate further environmental review beyond the impacts and issues already disclosed and analyzed in the General Plan EIR. No increase in development density beyond what was anticipated in the General Plan for the Project site would occur. No other special circumstances exist that would create a reasonable possibility that the proposed Project will have a significant adverse effect on the environment.

The Class 32 "Infill" Categorical Exemption (CEQA Guideline Section 15332), hereafter referred to as the Class 32 Exemption, exempts infill development within urbanized areas if it meets certain criteria. The class consists of environmentally benign infill projects that are consistent with the General Plan and Zoning requirements. This class is not intended for projects that would result in any significant traffic, noise, air quality, or water quality impacts.

This exemption is not limited to any use type and may apply to residential, commercial, industrial, public facility, and/or mixed-use projects.

Therefore, the proposed Project qualifies for the exemption under CEQA Guidelines Section 15332 and no further environmental review is required.

- 2. The site contains a General Plan designation of low density residential and medium density residential. The design of the parcel map creates parcels consistent with the General Plan and creates parcels that create a distinction between the two land use designations.
- 3. No unusual topographic features are present onsite that would prohibit development of proposed parcels. The site is generally flat, with no regulated sensitive areas or other limiting topographic features. The site consists of a single residential lot and associated structures. The subdivision will create lots with adequate land area to support a detached single-family dwelling with standard setbacks and ample useable private yard space and a larger multi-family site.
- 4. The project site is not located in a sensitive environment but rather in a previously disturbed area surrounded by other residential and office land uses. The scope of the project would not have a significant adverse impact on the environment.
- 5. Frontage improvements on Sunset Drive are required for the development of the parcels and public access and utilities for each lot are available. The lots being created will comply with all applicable single-family sanitary sewer service and stormwater runoff treatment requirements, as well as other similar environmental and life safety regulations and standards.
- 6. The proposed project will not conflict with any public easements that currently encumber the property to be subdivided, and all modifications made to the existing public improvements fronting the parcels during development of the properties will be required to be constructed to current City standards.
- 7. The proposed project will not conflict with any public easements that currently encumber the property to be subdivided, and all modifications made to the existing public improvements fronting the parcels during development of the properties will be required to be constructed to current City standards.
- 8. No information has been found to indicate the project site is considered contaminated, or may contain contaminant particles.
- 9. The procedural requirements of the Map Act are being followed and the parcels will comply with the applicable engineering and zoning standards pertaining to grading, drainage, utility connections, lot size and density.
- 10. The project is an in-fill project that creates four parcels and three new residences. The project does not require Growth Allocation Units.

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED by the Planning Commission of the City of Lodi that Parcel Map Application No. 2019-09 P is hereby approved, subject to the following conditions:

1. The applicant/owner and/or successors in interest and management shall defend, indemnify, and hold the City of Lodi, its agents, officers, and employees harmless of any claim, action, or proceeding (including legal costs and attorney's fees) to attack, set aside, void, or annul this Use Permit, so long as the City promptly notifies the applicant of any claim, action, or proceedings, and the City cooperates fully in defense of the action or proceedings. The City

- may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding.
- 2. The Tentative Parcel Map shall expire within 24 months of Planning Commission approval or a time extension must be granted by the Planning Commission.
- 3. The Final Map shall be in substantial conformance to the approved Tentative Parcel Map, as conditioned, and that any future development shall be consistent with applicable sections of the Municipal Code.
- 4. Any buildings constructed on the new parcels shall be subject to setback, lot coverage, off street parking, and all other City of Lodi Municipal Code requirements.
- 5. The applicant shall meet all requirements of the adopted edition of the California Building, Fire and City of Lodi Municipal Codes in effect at the time of building permit application.
- 6. All development shall comply with the City of Lodi Stormwater Run-off requirements, including the quantitative treatment standards. Conformance with the stormwater runoff control requirements must be demonstrated prior to issuance of building permit.
- 7. Any fees due the City of Lodi for processing this Project shall be paid to the City within thirty (30) calendar days of final action by the approval authority. Failure to pay such outstanding fees within the time specified shall invalidate any approval or conditional approval granted. No permits, site work, or other actions authorized by this action shall be processed by the City, nor permitted, authorized or commenced until all outstanding fees are paid to the City.
- 8. No variance from any City of Lodi adopted code, policy or specification is granted or implied by this approval.
- 9. Water lines and sewer lines cross this property and serve the property to the east. These utility lines need to continue after the parcel map and development. The project has been conditioned to ensure that all utilities are located and any other utilities serving adjacent properties.

Building Department - General Comments:

- 10. Building permit is required for Site work. All plan submittals shall be based on the City of Lodi Building Regulations and currently adopted 2016 California Building code. Please review our policy handouts for specific submittal procedures.
- 11. The 2016 California Residential Code, Section R313.2 requires all new one and two-family dwellings to have an automatic residential fire sprinkler system installed.

Public Works Department:

The following conditions of approval are required for the subject project per City codes and standards, all to be accomplished prior to, or concurrent with, parcel map filing unless noted otherwise:

- 1. The project development shall comply with the requirements of Senate Bill (SB) 5, related to an urban level of flood protection (200-year storm event). The developer has the option of 1) Preparing their own 200-year flood protection report to prove that their property is in compliance, or 2) Contribute towards the City's delineation map and study that is currently being completed. The preliminary delineation map identifies portions of this property as having flood depths of less than 1', which does not require any additional measures for compliance. The City's cost for the delineation map and study is approximately \$200 per lot.
- 2. Project design and construction shall be in compliance with the applicable terms and conditions of the Multi-Agency Post-Construction Stormwater Standards Manual adopted by

the City of Lodi in compliance with the State Water Resources Control Board's Phase II MS4 permit.

- a. A Project Storm Water Plan must be submitted for approval prior to any improvement plans submittal.
- b. State-mandated construction site inspections to assure compliance with the City of Lodi's Phase II MS4 permit are required. The fee for these inspections is the responsibility of the developer and must be paid prior to the map filing or commencement of construction operations, whichever occurs first.
- 3. Public improvements including curb, gutter, sidewalk, driveways, pavement, street lights, fire hydrants, water facilities, wastewater facilities, and storm drain facilities along Sunset Drive are required and shall conform to City of Lodi Design Standards and Standard Plans.
- 4. Engineered improvement plans and cost estimate shall be submitted for approval per City Public Improvement Design Standards for all public improvements prior to final map filing. Plan submittal to include:
 - a. Approved tentative map, signed by the Community Development Director.
 - b. Current soils report. If the soils report was not issued within the past three (3) years, provide an updated soils report from a licensed geotechnical engineer.
 - c. Grading, drainage and erosion control plan.
 - d. Copy of Notice of Intent for NPDES permit, including storm water pollution prevention plan (SWPPP).
 - e. All utilities, including street lights and electrical, gas, telephone and cable television facilities.
 - f. Undergrounding of all overhead utilities required (if applicable).
 - g. Joint Trench plans (required with second submittal).

A complete plan check submittal package, including all the items listed above plus the Map/Improvement Plan Submittal cover letter, Improvement Plan Checklist and engineering plan check fees, is required to initiate the Public Works Department plan review process for the engineered improvement plans.

5. Design and installation of public improvements shall be in accordance with City Master Plans. Street, wastewater, storm drainage, and water design calculations will be required for the development.

a. Street

- i. All street designs shall conform to the City of Lodi Design Standards.
- ii. All residential streets shall contain rolled type (fronts) curb, gutter and sidewalk; and shall conform with City of Lodi Standard Plan 136.
- iii. Install street lights along Sunset Drive.
- iv. Provide all necessary traffic signs along Sunset Drive.

b. Wastewater

- i. Wastewater system shall be designed in conformance with the City's Wastewater Master Plan and design standards.
- ii. The existing wastewater service to the parcel shall be abandoned.

- iii. The public sewer main shall be extended from the existing public wastewater main in Ham Lane and shall be placed in a 10-foot Public Utility Easement.
- iv. A manhole in conformance with City of Lodi Standard Plan 301 shall be installed at the connection to the existing 18-inch wastewater main in Ham Lane.
- v. Separate wastewater services in conformance with Standard Plan 201 shall be provided for each parcel from the public wastewater main.

c. Storm Drainage

- i. The storm drain system shall be designed in conformance with the City's Storm Drain Master Plan and design standards. The engineer shall submit a C factor calculation to show the proposed development meets the current standard runoff coefficient, otherwise the engineer shall consider using higher C factors to calculate storm water runoff from the development.
- ii. Slopes for all parcels within the development shall flow towards the proposed street. All stormwater shall be collected within the development and cannot flow to neighboring parcels.

d. Water

- i. The water system shall be designed in conformance with the City's Water Master Plan and design standards.
- ii. The public water main shall be extended from the existing public water main in Sunset Drive to provide domestic service and fire hydrants as required by the Fire Department.
- iii. Separate water services in conformance with Standard Plan 403 shall be provided for each parcel from the public water main.
- iv. Water meter boxes shall be located inside a public utility easement and outside of areas subject to vehicular travel.
- 6. All public improvements shall be installed within one year of final map filing under the terms of an improvement agreement, to be approved by the City Council prior to final map filing. The Developer will be required to provide warranty security in the amount of 10% of the value of the public improvements. The warranty period will be two (2) years, commencing on the date of acceptance of the public improvements.
- 7. All existing easements shall be shown and labeled on the map.
- 8. The developer shall dedicate all public utility easements (PUEs) required by the various utility companies and the City of Lodi.
- 9. All property dedicated to the City of Lodi shall be free and clear of all liens and encumbrances and without cost to the City of Lodi and free and clear of environmental hazards, hazardous materials or hazardous waste. Developer shall prepare and submit a hazardous materials report and shall indemnify the City against any and all hazardous materials and/or ground water contamination for all property/easements dedicated to the City.
- 10. Prior to any work within City Right-of- Way, the applicant shall obtain an encroachment permit issued by the Public Works Department.
- 11. All unused water, wastewater and storm drain stubs shall be abandoned at the developer's expense.

- 12. All on-site water wells, septic systems, and underground tanks shall be abandoned in conformance with San Joaquin County standards prior to approval of public improvements. A copy of the abandonment permit shall be submitted to the City after the completion of the abandonment.
- 13. Provide a fire-truck/garbage truck turning analysis.
- 14. Any landscape work that exceeds 500 square feet will need to comply with the Model Water Efficient Landscape Ordinance (MWELO).
- 15. All project design and construction shall be in compliance with the Americans with Disabilities Act (ADA) and California Title 24. City of Lodi Standard Plans are in the process of being revised and it should not be assumed that current standard plans are fully ADA compliant. Project compliance with ADA standards is the developer's responsibility.
- 16. The City of Lodi is a participant in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). An application for evaluation of the project site with respect to SJMSCP requirements shall be submitted to the San Joaquin Council of Governments (SJCOG) prior to commencement of any clearing, grading or construction activities on the project site.
- 17. As required by the California Green Building Code (CALGreen), project shall participate in the Construction and Demolition Recycling Program.
- 18. All existing survey monuments are to be preserved per California Senate Bill 1467. It is the applicant's responsibility to ensure that monuments are properly protected and/or perpetuated. If any of the monuments are to be disturbed or are near the area of construction, a licensed surveyor must confirm that the monuments have been protected and/or perpetuated and the appropriate documentation has been recorded.
- 19. In order to assist the City of Lodi in providing an adequate water supply, the Owner/Developer on behalf of itself, its successors and assigns, shall enter into an agreement with the City that the City of Lodi be appointed as its agent for the exercise of any and all overlying water rights appurtenant to the proposed project site, and that the City may charge fees for the delivery of such water in accordance with City rate policies. In addition, the agreement shall assign all appropriative or prescriptive rights to the City. The agreement will establish conditions and covenants running with the land for all lots in the limits of the final map and provide deed provisions to be included in each conveyance.
- 20. Submit final parcel map per City and County requirements including the following:
 - a. Preliminary title report.
 - b. Standard note regarding requirements to be met at subsequent date.
 - c. Parcel map guarantee.
- 21. Obtain the following permits:
 - a. Grading Permit issued from the City of Lodi Building Department.
 - b. Building Permit issued from the City of Lodi Building Department.
 - c. Encroachment Permit issued from the City of Lodi Public Works Department for any work within the City's public right of way or on existing public water, wastewater and storm drain infrastructure.
 - d. San Joaquin County well/septic/underground tank abandonment permit (if needed).
 - e. NPDES Construction General Permit (SWPPP).

f. San Joaquin Valley Air Pollution Control District (SJVAPCD) permits.

22. Payment of the following fees:

- a. Filing and processing fees and charges for services performed by City forces per the Public Works Fee and Service Charge Schedule.
- b. Abandonment of existing wastewater service.
- c. Water meter installation fee.
- d. Regional Transportation Impact Fee (RTIF) at the time of building permit issuance for each unit.
- e. Encroachment Permit fee.
- f. Filing and processing fees and charges for services performed by City forces per the Public Works Fee and Service Charge Schedule.
- g. Senate Bill 5 delineation map fee prior to parcel map filing.
- h. Stormwater compliance inspection fee prior to parcel map filing or commencement of construction operations, whichever occurs first.
- i. Development Impact Mitigation (DIM) fees per the Public Works Fee and Service Charge Schedule at the time of building permit final.
 - (The fees referenced above are subject to periodic adjustment as provided by the implementing ordinance/resolution. The fee charged will be that in effect at the time of collection indicated above.)
- 23. Additional comments and conditions shall be provided during the building permit review process when more detailed plans are available.

Dated: May 8, 2019

AYES: Commissioners:

I certify that Resolution No. 19-XX was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on May 8, 2019 by the following vote:

NOES: Commissioners:	·		
ABSENT: Commissioners:			
	ATTEST		
		Secretary, Planning Commission	